

MONTANA PUBLIC DEFENDER COMMISSION
CONFERENCE CALL
DRAFT MINUTES
July 30, 2009

Call to Order

Vice Chair Gillespie opened the meeting of the Montana Public Defender Commission meeting at 8:10 a.m. A quorum was not present, so no action items were undertaken.

Commissioners Present

Caroline Fleming, Miles City, Mike Sherwood, Missoula; Jennifer Hensley, Butte; and Richard (Fritz) Gillespie, Helena

Commissioners Absent

Tara Veazey, Helena; Jim Taylor, Missoula; Vic Miller, Harlem; Majel Russell, Billings; Kenneth Olson, Great Falls; and Bill Snell, Billings

OPD Staff Present

Chief Public Defender Randi Hood, Administrative Director Harry Freebourn, Human Resource Officer Barb Kain and Administrative Support Supervisor Bonnie Martello

Other Interested Persons

Niki Zupanic, American Civil Liberties Union of Montana

Approval of Minutes of July 23-24, 2009 Meeting (*Action Item)

This will be deferred to the next meeting.

Response to American University Draft Report

The commissioners discussed the type of response they planned to make to the draft recommendations (exhibit 1). Commissioner Taylor provided written comments for discussion. They agreed to make a collective response from the Commission, primarily addressing broad topics and factual inaccuracies. Chief Hood provided the Commission with her response, which focused on the big issues because she is anxious to proceed with addressing the issues raised rather than contesting specific inaccuracies. However, she offered to provide the Commission with any specific information they need to develop their response.

Commissioner Gillespie noted that there seems to be agreement that the conflict of interest problem is the most significant. Commissioner Hensley said that the conflict issue was a huge topic at almost every meeting while the system was being crafted, and that some guidance is needed.

The group reviewed each of the 32 recommendations in the draft report in detail, with staff providing information as needed to help the Commission draft the response.

Chair Sherwood will circulate his draft to the entire Commission for review and comment before submitting it to American University.

Public Comment

Niki Zupanic would like to receive a copy of the Commission's response when it is drafted. She commended the Commission on their thorough discussion of the recommendations, as well as the positive approach of both staff and Commission in their responses.

Old Business/New Business (*Action Items)*Scheduling Future Meetings*

Chair Sherwood would like to schedule a meeting in Helena in conjunction with the next meeting of the Law and Justice Interim Committee (LJIC) so that a JustWare demonstration can be presented to the Committee. He suggests bimonthly two-day meetings until the work of responding to the recommendations is complete—possibly September, November, and January. Dates will be set once the LJIC sets their meeting schedule.

Adjourn

The meeting adjourned at 1:10 p.m.

Note: The Commission's final response to the draft report is now available (exhibit 2).